

THE GEORGE WASHINGTON UNIVERSITY  
Washington, D. C.

MINUTES OF A REGULAR MEETING OF THE  
FACULTY SENATE HELD ON SEPTEMBER 21,  
1973, IN THE FACULTY CONFERENCE ROOM,  
SIXTH FLOOR, LISNER HALL

- 1 The meeting was called to order at 2:15 p.m., by President Elliott, who presided.

Present: President Elliott, Provost Bright, Registrar Houser, Parliamentarian Stevenson, Albert, Angel, Breen, Brenner, Eisenberg, Foa, Grub, Highfill, Hill, Kaye, Liebowitz, Linden, Morgan, Naeser, Schiff, Schmidt, Schwoerer, Solomon, Smith, Stevens, Tsangaris, and Vaill.

Absent: Black, Burns, Cassidy, Feffer, Harris, Kirsch, R. Kramer, Linton, Nash, Parrish, Sapin, and Tillman.

- 2 The minutes of the regular meeting of May 4, 1973, were approved as distributed.

President Elliott welcomed Professor Grub upon his return from leave of absence and Professor Albert upon his election to the Senate by the Law School faculty as replacement for Professor Allen, who resigned.

- 3 a. Professor Hill, on behalf of the Educational Policy Committee, moved the adoption of Resolution 73/6, "A Resolution to Continue the Academic Forum," and Professor Stevens seconded. Professor Hill then moved the adoption of the following amendments, and Professor Stevens seconded:

Amendment No. 1: "Be it further resolved that the Editorial Board of the Academic Forum be allowed greater flexibility and greater scope for experimentation in its selections of topics and contributors than was envisioned by the original charge to the Board in 1969;"

Amendment No. 2: "Be it further resolved that the Editorial Board of the Academic Forum be authorized to publish two issues during each academic year with a budget of \$2900 per issue."

After a report by Professor Hill, the President called for further discussion, and, there being none, the question was then called on the original resolution, with the amendments. The motion to adopt the original resolution, with the amendments, was carried by a unanimous vote.

President Elliott introduced Dr. Peter B. Vaill, the new Dean of the School of Government and Business Administration, to the Senate. The President called the attention of the body to the fact that the meeting was being taped; he then suggested that, if there were no objection, Resolution 73/7, "A Resolution Approving Revisions to the Faculty Code and Ordinances," be deferred until all other business on the agenda had been completed. There was no objection.

- 4 On behalf of the Executive Committee and the Special Committee, Professor Stevens rendered the following report on the Quitslund case:

The Special Committee on the Quitslund case, elected by this body to attempt to negotiate a satisfactory settlement of Assistant Professor

Sonya Quitslund's complaint, succeeded in reaching a solution which was accepted by the Department and by Professor Quitslund.

The Special Committee made no findings of discrimination by the Department, but Professor Quitslund was granted tenure as an assistant professor.

On behalf of the Senate and the Faculty, I express our thanks and appreciation to Dr. DePauw and the members of her committee.

Professor Stevens added that the work of special committees was normally conducted on a confidential basis, but that Professor Jones and Professor DePauw would have further recommendations to present at a later date.

- 5 Professor Stevens, on behalf of the Executive Committee, placed in nomination before the Senate the following names:

- a. Ralph C. Nash, Jr., Professor of Law, to serve as replacement for Professor Richard C. Allen on the Executive Committee.
- b. T. P. Liverman, Professor of Mathematics, recommended to the Chairman of the Board of Trustees to serve on the Trustee Committee on Academic Affairs; Marcella Brenner, Professor of Education, recommended to the Chairman of the Board of Trustees to serve on the Trustee Committee on Student Affairs.
- c. Salvatore R. Paratore, Assistant Professor of Education, recommended to the President to serve on the University Bookstore Committee.

In each instance, the presiding officer called for nominations from the floor, and, there being none, the above-named nominees, were elected unanimously.

Professor Eisenberg, on behalf of the Physical Facilities Committee, placed in nomination the following name:

- d. Sharon L. Clark, Associate Professor of Physical Education, to serve on the Physical Facilities Committee.

There were no nominations from the floor and the nominee was elected unanimously.

- 6 Under Brief Statements, Professor Stevens called attention to the memorandum dated August 28, 1973, to Professor Stevens, Chairman, Executive Committee, from President Elliott, which was distributed to Senate members, concerning Resolution 72/2, "A Resolution Relating to the Principle of Voluntary Optional Retirement at Age 62." (The memorandum is attached hereto and made a part of these minutes by reference herein.) After a brief period for consideration of the communication, Professor Highfill asked if the question of allowing people to teach until the age of 70 had been considered. Provost Bright said, "The answer is 'no'." Professor Stevens suggested that Professor Schwoerer's Committee on Appointment, Salary and Promotion Policies might properly continue its inquiry into the entire question of retirement. After further discussion of the question by President Elliott, Professors Highfill and Stevens, Professor Highfill moved that the appropriate Senate committee pursue the entire matter of retirement. The motion failed for want of a second, and President Elliott suggested that the question be taken up by the Executive Committee.

Professor Solomon reported that the Executive Committee's subcommittee on budgeting had submitted, on the morning of September 21, 1973, its report to the Executive Committee for action. He pointed out that the report contained a number of specific recommendations which should have considerable impact on budget procedures.

President Elliott reported that the following resolution regarding smoking in the classroom had been accepted as University policy by the President and that he had asked the Provost to implement it:

A RESOLUTION CONCERNING SMOKING IN THE CLASSROOM (69/7)

WHEREAS, there is mounting evidence concerning the personal health hazards associated with smoking, especially cigarette smoking; and

WHEREAS, there is increasing recognition of the problems of air pollution; and

WHEREAS, there is increasing recognition of the rights of nonsmokers who may be sharing facilities with smokers; and

WHEREAS, The George Washington University has no current regulations relative to smoking in classrooms; therefore

BE IT RESOLVED BY THE UNIVERSITY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

That smoking be prohibited in regular classrooms but be permitted at the discretion of participants in small seminars, especially those that run beyond one class hour. Further, it shall be the responsibility of both faculty and students to comply with this resolution.

Committee on Administrative Matters  
As They Affect the Faculty  
February 13, 1970

Adopted February 13, 1970

Further discussion of the President's statement on Resolution 69/7 followed by Professor Morgan, Provost Bright, and Professor Smith.

- 3 b. Professor Naeser, on behalf of the Professional Ethics and Academic Freedom Committee moved the adoption of Resolution 73/7, and Professor Stevens seconded. Professor Naeser pointed out that, under his chairmanship and Dr. Pierpont's chairmanship, the Committee had spent many months and tremendous effort to arrive at the proposed changes and additions to the Faculty Code. Professor Stevens stated that, because the full faculty had received the proposed changes to the Faculty Code only a week ago with the agenda for this meeting, the Executive Committee recommended that, in all fairness, perhaps the final action should be deferred until all members of the faculty had had sufficient time to consider the proposed revisions and to offer additional recommendations. After discussion by Professors Naeser, Stevens, and Angel, Professor Angel moved that consideration of the resolution be postponed, and Professor Highfill seconded. After further discussion by Professors Angel, Morgan, Naeser, and

Highfill, the motion was put and carried. Further discussion followed by Professors Morgan, Breen, Angel, Grub, Stevens, Naeser, and President Elliott. At this point Professor Schwoerer made the following motion, which Professor Morgan seconded:

"I move that the Senate request the deans of each school and college, or department chairmen in the several schools and colleges, to call a meeting for the purpose of reviewing the proposed Faculty Code, and to report back, in writing, by November 1, 1973, the lines of discussion that were pursued and any conclusions or recommendations that were reached. The report should be addressed to Professor Charles R. Naeser, Chairman, Professional Ethics and Academic Freedom Committee."

After further discussion by President Elliott, Professors Schwoerer, Stevens, Grub, Breen, Morgan, Eisenberg, Hill, and Naeser, the motion was put and carried unanimously. Professor Naeser called attention to the following changes he wished to include in the amendments to the revised Code proposed by the Commission on Equal Opportunity:

- (1) In Amendments Nos. 1, 2, 3, and 5: Change the words "ETHNIC IDENTITY" to "NATIONAL ORIGIN."
- (2) In Amendment No. 2: In the last line, insert the word "FACULTY" between the words "BE" and "MEMBERS", so that the line correctly reads, "EQUAL OPPORTUNITY AND MAY BE FACULTY MEMBERS OF THE COMMISSION ON EQUAL OPPORTUNITY."

On a question from Professor Stevens, Professor Naeser stated that his motion to adopt the resolution did not include introduction of the amendments which he suggested should be presented at a later time, along with any others which might be presented.

On inquiry from Professor Brenner as to the reason for the taping of the minutes, President Elliott stated that the reason was to assist the secretary in recording and preparing the minutes.

- 7 Upon motion duly made and seconded, the President adjourned the meeting at 3:15 p.m.

  
Frederick R. Houser,  
Secretary



A RESOLUTION TO CONTINUE THE ACADEMIC FORUM (73/6)

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Faculty Senate recommend the continued publication of the Academic Forum for a period of two (2) years, subject to re-evaluation of its usefulness at the end of the academic year 1973-1974.

Be it further resolved that the Editorial Board of the Academic Forum be allowed greater flexibility and greater scope for experimentation in its selections of topics and contributors than was envisioned by the original charge to the Board in 1969;

Be it further resolved that the Editorial Board of the Academic Forum be authorized to publish two issues during each academic year with a budget of \$2900 per issue.

Committee on Educational Policy  
September 7, 1973

Adopted, as amended, September 21, 1973

A RESOLUTION APPROVING REVISIONS TO THE FACULTY CODE AND ORDINANCES (73/7)

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Faculty Senate approve the revisions to the Faculty Code and Ordinances submitted by the Committee on Professional Ethics and Academic Freedom, and forward the revised Code to the Board of Trustees with the recommendation that it be adopted.

Committee on Professional Ethics  
and Academic Freedom  
September 7, 1973

Postponed for consideration at the October 12, 1973, Faculty Senate meeting.

THE GEORGE WASHINGTON UNIVERSITY  
INTERDEPARTMENTAL MEMORANDUM

August 28, 1973

TO: Professor Edwin L. Stevens, Chairman, Executive Committee  
The Faculty Senate

During the 1972-73 academic year the Faculty Senate, through two of its committees, studied and passed various resolutions concerning the adoption of an early retirement plan. In final action on this matter the Senate voted to support the principle of early retirement and asked the administration to work out necessary details.

The second clause of Resolution 72/2 by the Senate's Committee on Appointment, Salary and Promotion Policy reads:

"WHEREAS, consultations with TIAA/CREF have indicated the feasibility of such a retirement option without economic detriment to either the retiree or the University,"

In pursuing this matter, as requested by the Senate, I have assumed that "without economic detriment" represents the sense of all concerned. The matter has therefore been studied with this condition in mind.

"Provisions for Early Retirement," a bulletin distributed by TIAA/CREF in April 1972, was issued apparently in response to questions about early retirement plans. The bulletin raised many questions that must be considered in developing an early retirement plan but reported specifically on two such plans in effect, both of which were aimed at providing "early" retirement between ages 65 and 70. As far as I can ascertain, and I have had the help of the budget office of the University, the Provost, and other interested persons in this exploration, this is the only publication by TIAA/CREF on this subject, and this bulletin does not indicate any possible way for the development of an early retirement option below 65 years of age "without economic detriment" to either the retiree, the institution, or both. The economics are particularly difficult, in fact seem to be impossible to surmount, when the computation for possible benefits includes the fact of reduced Social Security income for all men below the age of 65.

In reviewing the subject and trying to work out a plan in response to the Senate's request, I must report that the early retirement option is not available "without economic detriment" to either one or all of the parties concerned. Unless the retiree is to receive reduced benefits, the University would be required to use funds normally available for salary increases and other current operations to supplement income to early retirees. This would not seem to be in the best interests of the institution.



Lloyd H. Elliott

cc: All Vice Presidents and Deans





THE GEORGE WASHINGTON UNIVERSITY  
Washington, D. C.


The Faculty Senate

September 12, 1973

The Faculty Senate will meet on Friday, September 21, 1973, at 2:10 p.m., in the Faculty Conference Room on the sixth floor of Lisner Hall (Old Library).

AGENDA

1. Call to order
2. Minutes of the regular meeting of May 4, 1973
3. Resolutions:
  - (a) A RESOLUTION TO CONTINUE THE ACADEMIC FORUM (73/6), Educational Policy Committee, Professor Peter P. Hill, Chairman
  - (b) A RESOLUTION APPROVING REVISIONS TO THE FACULTY CODE AND ORDINANCES (73/7), Professional Ethics and Academic Freedom Committee, Professor Charles R. Naeser, Chairman (see attached copy of the draft revision and the proposed amendments to the draft)
4. Report on the disposition of the case of Sonya Quitslund, Assistant Professor, Department of Religion
5. General Business:
  - (a) Nomination for election of Professor Ralph C. Nash, Jr., Law, to the Executive Committee, as replacement for Professor Richard C. Allen, Law
  - (b) Recommendation to the Chairman of the Board of Trustees of members for Trustee Committees on Academic Affairs and Student Affairs: Academic Affairs - Professor T. P. Liverman, Mathematics; Student Affairs - Professor Marcella Brenner, Education
  - (c) Nomination for appointment by the President to the University Bookstore Committee: Professor Salvatore R. Paratore, Education
  - (d) Nomination for election of Professor Sharon L. Clark, Physical Education, to the Physical Facilities Committee
6. Brief statements
7. Adjournment

  
Frederick R. Houser  
Secretary

A RESOLUTION TO CONTINUE THE ACADEMIC FORUM (73/6)

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Committee on Educational Policy  
September 7, 1973

A RESOLUTION APPROVING REVISIONS TO THE FACULTY CODE AND ORDINANCES (73/7)

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Faculty Senate approve the revisions to the Faculty Code and Ordinances submitted by the Committee on Professional Ethics and Academic Freedom, and forward the revised Code to the Board of Trustees with the recommendation that it be adopted.

Committee on Professional Ethics  
and Academic Freedom  
September 7, 1973





## FACULTY CODE AND ORDINANCES

### Governing the Academic Personnel of the University

In accordance with The Board of Trustees of The George Washington University, by virtue of the authority under the charter of the University vested in it by the University Charter, granted by the United States of America (Enactment of February 9, 1821), and the ordinances of the Board of Trustees adopted thereunder, the following Code governing the academic personnel is established: hereby establishes the following Faculty Code. The Faculty Code applies to all University faculty in all colleges, schools, divisions, departments, and comparable educational divisions. Constitutions, by-laws, and established procedures of governance devised by subdivisions of the University are subordinate to the letter and spirit of the Faculty Code.

#### I. Grades of Academic Service<sup>†</sup> Personnel

The grades of academic service now in effect personnel are:

##### A. RETIRED STATUS

professor emeritus, professor emeritus in residence  
associate professor emeritus, associate professor  
emeritus in residence, and retired (in any given rank for  
age or disability).

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<sup>†</sup>As used in the code, the word "staff" includes all members of the staff as designated in B1, B2, B3, and B4 of this Article, and the word "faculty" includes members of the academic personnel who are included in the membership of the University Faculty or of the school and college faculties as defined by the Board of Trustees.

## B. ACTIVE STATUS

1. Full-time ~~Service~~: Professor,<sup>2</sup> associate professor, assistant professor, and instructor.

2. ~~Limited-Service~~ Part-time: adjunct professor, professor (medical), clinical professor, professorial lecturer, associate clinical professor, associate professorial lecturer, assistant clinical professor, assistant professorial lecturer, associate (clinical medical), lecturer, instructor, special lecturer, studio lecturer, clinical instructor, teaching fellow, fellow and graduate teaching assistant.

3. Visiting ~~Status~~: professor, associate professor, and assistant professor.

4. Research Staff -- Academic ~~Status~~.

a) Members of the research staff may ~~upon-the-recommendation-of-the-appropriate-officers~~, be ~~accorded~~ awarded academic status by the Board of Trustees upon recommendation of the appropriate faculty and officers of the Administration, but such status does not provide tenure unless specified in the letter of appointment.

b) Research staff grades ~~of-service-recognized-under-4a~~ are research professor, associate research professor, assistant research professor, and research instructor. ~~and-research-fellow~~.

## II. Academic Freedom

A. Members of the Staff Faculty Shall Enjoy Academic Freedom.

~~A.~~ B. The University will not place any ~~restraint~~ limitation

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<sup>2</sup>~~Except-as-limited-in-I7-B2-~~

upon a staff faculty member's freedom of investigation. However, a member of the faculty on full-time service shall not permit his research to interfere with his teaching duties; ~~he shall take cognizance of University policies in regard to the coordination of research projects, and he shall take part in cooperative research projects undertaken by the University.~~ A full-time active status member of the faculty ~~on full-time service~~ may apply through the University Committee on Research for modification of his program so as to permit him to undertake an approved research project which could not be undertaken without such cooperation.

B- C. The University will not impose any limitation upon a staff faculty member's freedom of exposition of his own subject in the classroom. A member of the staff faculty ~~shall adapt his instruction to the needs of his students and~~ shall abstain from discussing in the classroom controversial topics outside his own field.

E- D. The University will not impose any limitation upon a staff faculty member's freedom of ~~exposition of his own subject~~ expression in addresses or in publications outside the University.

D- A member of the staff faculty in speaking and writing outside the University upon subjects beyond the scope of his own field of study is entitled to the same rights and is subject to the same duties as other citizens. The University assumes no responsibility for views expressed by members of the staff faculty on such occasions, and members of the staff faculty shall make it clear

that they are expressing only their personal opinions.

### III. Professional Responsibilities

A. A member of the staff faculty shall perform well his academic duties; strive for professional development; and apply his talents to the service of his profession, and his community., ~~and-the country-~~

A- B. In his classroom a member of the staff faculty is responsible for the character of the instruction, the maintenance of good order, and the observance of University regulations. He shall make adequate preparation for his classes and conduct them in a dignified and courteous manner.

B- C. A member of the staff faculty shall perform conscientiously his other academic duties. , ~~such-as~~ He shall meeting classes on time; ~~holding~~ classes for the full period; ~~grading~~ grade tests and examinations and ~~reporting~~ the grades promptly; ~~reporting~~ promptly to the appropriate dean matters requiring disciplinary action and matters relating to the physical condition of classrooms and laboratories; ~~attending~~ faculty meetings; commencement exercises (omit emphasis), convocations, and other academic events; ~~serving~~ serve on faculty or University committees; ~~assisting~~ in the administrative work of his department or in the general administrative work of the University; and ~~serving~~ serve as a general or departmental adviser to students.

C- D. A member of the staff active status faculty should strive to grow in professional competence by means of effective teaching and sound scholarship. , ~~effective-teaching,-and-original~~



~~contributions~~. He should be a student of contemporary life so as to be able to interpret his field in the light of related knowledge. He should strive for the advancement of knowledge in his field ~~of-learning~~ by individual research and by participation in the activities of professional societies.

B- E. A full-time active status member of the faculty ~~on-full-time-service~~ shall have the primary responsibility of devoting his time, thought, and energy to the service of the University. No such member of the faculty shall accept an outside teaching appointment during the academic year or engage in any other regular activity of a remunerative nature without the approval of the University. A full-time active status member of the faculty ~~on-full-time-service-is-under-obligation~~ shall not ~~to~~ permit such employment, even when officially approved, to interfere with his responsibility to the University.

#### IV. Appointment, Reappointment, Tenure, and Promotion.

~~The-following-principles,-standards-and-procedures-are-in force-in-regard-to-appointment,-reappointment,-tenure,-and-promotion-~~

##### A. APPOINTMENTS AND TENURE

##### 1. Statements of Terms and Conditions (emphasis)

a) Every ~~new~~ faculty appointment shall be in writing and shall be made in accordance with and subject to the provisions of this Code and of implementing procedures ~~thereunder~~ adopted by the full-time active status members of the faculty. , ~~both-of-which~~ Copies of this Code and of such implementation of procedures shall be ~~made-available~~ provided to the proposed appointee by the department

chairman or other appropriate officer before consummation of the appointment. An appointment shall be deemed to have been consummated upon the receipt by the appointee of a letter of appointment or commitment from the University and the receipt by the University of a written communication of acceptance.

b) Tenure members of the faculty and faculty members whose probationary appointments do not expire or will be renewed ~~who have-received-appointments-with-continuous-tenure~~ shall be notified in writing annually, on or about April 1, of salary and of changes in rank or of other terms and conditions of service for the next academic year.

~~c) -- Notice-of-salary-and-other-terms-and-conditions-of-an unexpired-or-renewed-probationary-appointment-shall-in-all-cases-be-given-on-or-about-April-1-~~

## 2. Limited-Service Part-time Appointments (emphasis)

Adjunct professors, professors (medical), clinical professors, professorial lecturers, associate clinical professors, associate professorial lecturers, assistant clinical professors, assistant professorial lecturers, associates (clinical and medical), lecturers, instructors, special lecturers, studio lecturers, clinical instructors, teaching fellows, fellows, and graduate teaching assistants will be appointed for a specified period of a year or less. Such appointments may be renewed an unlimited number of times.

## 3. Full-time Service Appointments (emphasis)

### a) Kinds-of-Appointments

a) All appointments to full-time active status full-time-service (as defined in Article I, Section B, Paragraph 1) will be of two

kinds: (1) probationary appointments or (2) appointments with continuous tenure.

b) Probationary Appointments

1) New Appointments

Except in special circumstances, all new appointments to full-time active status, ~~full-time-service,--(as-defined-in-Article-I,--Section-B, Paragraph-1)~~ regardless of rank, will be for a probationary period of stated length.

2) Maximum Period

Probationary appointments will be for one year or other stated periods, subject to renewal. The total probationary period will not, ~~with-the-exceptions-herein-indicated,~~ except as provided below, exceed seven years, including full-time service with the rank of instructor or higher in other recognized institutions of higher learning. Leaves of absence to engage in authorized teaching or research activities at another institution of higher learning shall be included in this period. Leaves for study toward a degree, for military or other national emergency service, or for personal affairs ~~will~~ shall not be included in ~~the-calculation-of~~ this period. A faculty member with previous full-time service at another institution may be required, by written agreement, as a term or condition of his initial appointment, to serve a probationary period not to exceed four years, even though his total probationary period in the academic profession is thereby extended beyond seven years. ~~Subject-to-the-provisions-of-Article-V,--Section-B, Paragraph-1,--below,--an-active-status-full-time-service-member-of~~ the-faculty A faculty member of the rank of assistant professor or

higher who will not be granted tenure at the end of the final year of his maximum probationary period shall be so notified in writing on-or-about-July-1-preceding-his-final-(i.e.,-maximum)-probationary year in accordance with Article V, Section B hereof. that-he-will be-granted-continuous-tenure-or-that-his-full-time-service-status will-terminate-at-the-completion-of-that-year. Any such faculty member who is not so notified will be deemed to acquire continuous tenure at the end of the probationary period.

### 3) Stated Periods by Rank

#### (a) Instructor

Instructors will be appointed for an initial period not-to-exceed of one year and will may be eligible-for-reappointment-or-promotion-reappointed for not more than three additional one year periods. Reappointment-will-not, No reappointment shall, except by special action of the Board of Trustees, upon recommendation of by the appropriate faculty group body and the recommendation-of appropriate University officers, extend the any individual's total period as an instructor beyond four years. Continuous tenure shall not be conferred at this grade.

#### (b) Assistant Professors

Assistant Professors will be appointed for an-initial-period-of-one, two-or-three-years-and-will-be-eligible-for-reappointment,-tenure, or-promotion.--They-may-be-required-to-serve-a-period-of-not-more than-seven-years-prior-to-the-granting-of-tenure-status- a probationary period of not more than three years and may be reappointed, with or without tenure, for one or more additional periods.



## (c) Associate Professors

Associate Professors will be appointed for a probationary period of not more than four years and ~~will be eligible for reappointment, tenure, or promotion.~~ may be reappointed, with or without tenure, for one or more additional periods.

## (d) Professors

Professors will be appointed for a probationary period of not more than three years. Renewal of an appointment confers tenure.

## 4) -- Administrative Officers --

~~Academic and tenure status members of the administrative staff have academic status and tenure status only when authorized by the Board of Trustees.~~

## B. PROMOTION

Promotion ~~in rank~~ is dependent upon ~~growth in~~ professional competence ~~as such growth may be~~ evidenced by ~~increased~~ teaching ability, productive scholarship, participation and leadership in professional societies, ~~and~~ public service. ~~service on University committees, or a combination of the above. It is expected that~~  
As a general practice a promotion in rank shall be accompanied by an appropriate increase in salary.

C. NONDISCRIMINATION

Appointments, renewals, terminations, promotions, tenure, compensation and all other terms and conditions of employment shall be made solely on the basis of merit and without regard to race, religion, sex, nationality or national origin.

## V. Termination of Service

### A. EXPIRATION OF DEFINITE PERIOD APPOINTMENTS

All appointments for a definite period of service ~~{one-semester---one, two, or three-years}~~ expire automatically with the completion of such period of service, subject as appropriate, to the safeguards ~~that follow.~~<sup>3</sup> specified in this Article and in Article IV.

### B. TERMINATION OF PROBATIONARY AND VISITING STATUS APPOINTMENTS

#### 1. Notice of Nonrenewal of Probationary Period (emphasis)

Written notice that a probationary appointment is not to be renewed ~~will~~ shall be given to ~~the~~ a full-time active status ~~full-time-service~~ faculty member in advance of the expiration of his appointment, according to the following minimum periods of notice:

a) ~~not-later-than-March-1~~ not less than six months after the beginning of the first academic year of faculty service in the University in the case of a one-year appointment;

b) ~~not-later-than-December-1-of-the-second~~ not less than nine months prior to the conclusion of the final academic year of such service in case of a two-year appointment or the renewal of a one-year appointment;

c) ~~not-later-than-July-1-preceding-the-final-academic-year-~~ not less than 12 months prior to the conclusion of an appointment after two or more academic years of ~~such~~ full-time service in the University.

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<sup>3</sup> See also Article IV, above.

2. Notice by Member of Termination or Declination of  
Renewal (emphasis)

If a member of the faculty desires to terminate an existing appointment or to decline a renewal, he shall give notice in writing not no later than April 1 if his rank is instructor or assistant professor, and no later than March 1 if his rank is higher, or within thirty days after receiving notice of the terms and conditions of his service for the next academic year, whichever date is later; but he may properly request a waiver of this requirement in case of hardship or in a situation where he would otherwise be denied substantial professional advancement.

3. Dismissal and Late Notice (emphasis)

Dismissal of a faculty member during a probationary or visiting-status faculty appointment, or the nonrenewal of a probationary appointment with less than the required advance notice, shall be preceded by a statement of reasons and shall be subject to the provisions of Article IX X of this Code.

C. TERMINATION OF ~~CONTINUOUS~~-TENURE

Grounds for Termination: until retirement of a faculty member in accordance with other provisions of this Code, and subject to the provisions of Article IX X, an appointment with ~~continuous~~ tenure is terminable by the University only for adequate cause or on account of extraordinary financial emergencies, in the latter case after not less than twelve months' notice to the faculty member.

1. Adequate Cause (emphasis)

Adequate cause shall mean unfitness to perform ~~his~~ academic duties because of:

- a) incompetence
- b) lack of scholarly objectivity or integrity
- c) persistent neglect of professional responsibilities under

this Code

- d) gross personal misconduct that destroys academic usefulness.

2. Extraordinary Financial Emergency (emphasis)

a) Termination of an appointment ~~of~~ with continuous tenure ~~status~~ because of extraordinary financial emergencies will be considered only as a last resort, after every effort has been made by the administration and Board of Trustees to meet the need in other ways or to find for the member of the faculty another satisfactory assignment in the University.

b) If an appointment with continuous tenure is terminated because of an extraordinary financial emergency, the released faculty member's place will not be filled by a replacement within a period of two years, unless the faculty member has been offered and has declined reappointment.

VI. Leave

A. A member of the faculty may be granted a leave of absence without salary, for study or for any other reason considered valid by the appropriate dean, ~~may be requested by a member of the faculty or staff~~ at any time.

B. When circumstances permit, the Board of Trustees will grant sabbatical leave to a member of the faculty with tenure

**status** who has served six or more continuous years in a college or university ~~on~~ in full-time service active status above the rank of instructor, three years of which must have been served in this University, or who has served six or more years in full-time active status after a preceding grant of sabbatical leave.<sup>4</sup> The request for sabbatical leave should be accompanied by an outline of the education, research, and/or self-improvement program which the applicant proposes to follow if the leave is granted. Such leave must be recommended by the ~~chairman-acting-on-behalf-of-the~~ department or other appropriate unit; concurred in by the Dean of the corresponding college or school, and the Dean of Faculties; approved by the President of the University; and granted by the Board of Trustees of the University.

When a faculty member of-the-faculty-by-accepting-a-grant-of sabbatical-leave-obligates-himself-to-continue-in-the-service-of-the University-for-at-least-one-year-following-such-leave, unless other-arrangments-are-agreed-to-by-the-University: is eligible for sabbatical leave but for reasons of college, school, or departmental convenience or necessity has his application deferred, his next eligibility for sabbatical leave shall be computed from the time he became eligible for such leave, not from the date the leave was actually granted.

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<sup>4</sup> The-request-for-sabbatical-leave-should-be-accompanied-by-an outline-of-the-education, research, and/or self-development-program which-the-applicant-proposes-to-follow-if-the-leave-is-granted:



The University will pay a member of the faculty while on sabbatical leave one-half of his salary for two semesters or all of his salary for one semester. The salary is paid as a compensation for the benefits received by the University from the efforts of the faculty member on leave.

C. In the event of a national emergency, full-time active status faculty members of-the-faculty-on-full-time-service-with-tenure status,-assistant-professors,-and-instructors will be granted "defense leave" in accordance with the following provisions:

1. Members of the faculty ~~or-staff~~ given defense leave for the duration of an emergency will have the privilege of returning to the service of the University at the beginning of the semester following their release from service.

2. Members of the faculty ~~or-staff~~ on defense leave in a civilian status may be requested to return to the University and their defense leave terminated on sixty days' notice.

~~3.--Time-spent-on-defense-leave-will-not-be-counted-in-computing the-maximum-probationary-period.--(See-Article-IV,-Section-A,-Paragraph-3b)-2)-~~

~~4-~~ 3. The return to University service of all members of the faculty from defense leave is conditioned upon the their mental, moral, and physical ~~competence~~ competency of-such-persons to resume their positions in the University.

## VII. Retirement

A. A member of the staff faculty in active status ~~-reaching-the age-of-sixty-five-during-the-academic-year-(September-to-June-inclusive)~~

shall retire at the end of ~~that academic year or, in the case of those holding fiscal year appointments, at the end of August, or if his sixty-fifth birthday falls in July or August, he shall retire at the end of the fall semester following.~~ the fiscal year in which he reaches the age of 65, unless with the consent of the staff faculty member, and upon the recommendation of the faculty members who would be entitled to vote if the retiring faculty member were being considered for an original appointment in his present rank and with the approval of the appropriate officers of the University, the Board of Trustees continues him under annual contract. The fiscal year shall be the period beginning July 1 and ending June 30, both inclusive.

A full-time member of the faculty ~~on full-time service~~ who is retired may, subject to the need of the University, be invited to continue on ~~limited duty on a basis set~~ a part-time basis by the appropriate officers of the University, and appointed for a renewable period not to exceed one academic year. Such ~~an~~ appointee shall be designated "emeritus (or retired) in residence."

In no case shall ~~a member of the staff be continued in active service~~ an appointment under the two preceding paragraphs be renewed beyond the end of the fiscal year in which ~~he reaches~~ the appointee reaches the age of seventy.

B. A member of the faculty who has served on a full-time basis with the rank of professor or associate professor for fifteen years or more in this or other accredited colleges or universities and who becomes incapacitated and unable to continue his duties is eligible for retirement.

C. A member of the faculty ~~or an officer of administration~~ with



long and distinguished service to the University may, upon retirement, be awarded emeritus status. ~~In-the-case-of-a-member-of-the faculty,~~ Emeritus status is recommended by the full-time active status members of the faculty concerned and, with the concurrence of the administration, is awarded by the Board of Trustees. ~~In-the case-of-officers-of-administration,-emeritus-status-is-recommended-by the-President-of-the-University-and-awarded-by-the-Board-of Trustees-~~ Those eligible for consideration for emeritus status are professors, adjunct professors, clinical professors, and associate professors. ~~and-administrative-officers-having-faculty-status-~~

A professor-emeritus faculty member in emeritus status is entitled to use facilities as arranged with the administration of the University and to participate in faculty meetings ~~but-he-is~~ without the right to a vote. He may serve on committees and may perform such other services as are in keeping with his desires and with the needs of the University.

D. A member of the faculty who is retired upon reaching the retirement age after serving ~~on~~ a full-time basis with the rank of professor or associate professor for fifteen years or more, at least ten of which shall have been at the George-Washington University, or a member of the faculty who is retired upon becoming incapacitated after serving on a full-time basis with the rank of professor or associate professor ~~as-specified-in-Article-VII,-Section-B,-may~~ be eligible for retirement allowances as provided by the Board of Trustees.

A retired professor faculty member ~~or-a-retired-administrative-officer-with-faculty-status~~ may use facilities as arranged with the

administration of the University and attend participate in faculty meetings without the right to vote.

#### VIII. Retirement Annuity

The University has entered into an agreement with the Teachers Insurance and Annuity Association, which agreement is organized upon a dual participation basis. Full-time members of-the-staff-having tenure-status of the faculty and other full-time employees are required eligible to participate. All-other-full-time-members-of the-staff-in-the-rank-of-instructor-or-assistant-professor,-after two-years-of-service-at-the-University,-are-required-to-participate-

X: IX.\* Faculty Participation in Appointments, Renewals of Appointments, Tenure Designation, and Terminations of Appointments, Budget, and Curriculum Development.

A. Because-of-their-role-in-formulation-and-implementation-of educational-policy, The faculty, and as well as appropriate administrative officers, exercises a responsibility in-recommendations-as-to selection-and-determination-of-the-status-of-members-of-the-faculty as-well-as-in-selection-of-administrative-officers-who-are-concerned with-academic-matters- for the operation of the departments. the schools or colleges, and the University.

B: This responsibility includes participation by the faculty and-administrative-officers in formulating and transmitting recommendations for appointing, renewing appointments,

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\*Articles IX and X have been interchanged in the revisions and are presented as such here.

promoting, designating tenure status, and terminating appointments for of active status members of the active-status-grade-of-academic service faculty.

It includes participation in formulating annual budgets and long-range projections for each department, school, college or other academic budgetary unit by its faculty, within amounts allocated to such unit by the President and Board of Trustees. It includes participation in development, revision and elimination of curricular offerings of each department, college or school by its faculty. It also includes participation in recommendations to the Board of Trustees for appointments of the President, deans, departmental chairmen, and similar all other administrative officers officials with direct or indirect authority over matters which may affect or concern concerned-with the faculty in their academic matters and professional activities.

C. In the exercise of their responsibility in formulating and implementing educational policy and programs, the full-time active status members of each college or school shall make recommendations to the President and the Board of Trustees on all proposals concerning the creation, consolidation, or elimination of departments, institutes, or other academic or research units within the school or college. The Faculty Assembly shall make recommendations on all proposals concerning the creation, consolidation, or elimination of schools, colleges, or other academic or research units within the University.

~~IX-~~ X. Principles Governing Issues Relating to Termination, Dismissal, Nonrenewal, Conditions of Employment, and Rights and Privileges Under This Code.

The rights, privileges, and responsibilities of a faculty member conferred by this Code will be carefully safeguarded in accordance with the highest accepted principles, practices, and procedures of the academic community. An alleged infringement of such rights or privileges or an alleged violation of such responsibilities, or a charge of unfair or discriminatory treatment with regard to conditions of employment will first be considered by the faculty member or members concerned, or by appropriate representatives of the faculty, in cooperation with the responsible administrative officers. If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures set forth in the Principles, Standards and Procedures for the implementation of this Article shall be fully utilized. ~~After-faculty-and-administrative procedures-have-been-fully-utilized,~~ Thereafter, if there is still no satisfactory adjustment of the matter, any member of the faculty who believes that his rights and privileges under this Code have been violated or that he has been subjected to unfair or discriminatory treatment with regard to conditions of employment may take an appeal to the appropriate administrative officers for consideration by the Board of Trustees.

Review by the Board of Trustees will include the record of the hearing before the faculty and administrative officers, with an opportunity for argument, oral or written, or both, by the principals or their representatives at the hearing.

## XI. Health Service

A. The University, recognizing the importance of the health of the teacher to his professional competence, provides an annual physical examination without charge to all full-time active status faculty members ~~of-the-staff~~ who care to avail themselves of the privilege.

B. The facilities of the Health Clinic are available to members of the faculty in emergencies resulting from accidents or sudden, serious illness while on campus. Such medical services are limited to necessary "First Aid," after which the faculty member will consult his own physician.

## XII. Effective Date

Having been approved by the Board of Trustees of the University on ~~June-6,-1964,~~ \_\_\_\_\_ this Code shall as of ~~September-1,-1964~~ \_\_\_\_\_ supersede all former codes and ordinances. ~~in-effect-except-that-changes-in-tenure-shall not-be-retroactive-~~ The Board of Trustees of the University directs that this ~~fourth-revision-of-the-Code-and-Ordinances~~ revised Faculty Code be published.



PRINCIPLES, STANDARDS AND PROCEDURES FOR THE  
IMPLEMENTATION OF THE FACULTY CODE

~~For faculty participation in the selection of faculty members and  
for consultation and recommendation in the selection of academic  
administrators.~~

~~Implementing Articles IV, V, IX and X of the University Code and  
Ordinances.~~

A. FACULTY PARTICIPATION IN ACTION CONCERNING FACULTY  
MEMBERSHIP.

~~The faculty shares with appropriate administrative officers  
the responsibility for recommending to the President and the Board  
of Trustees actions concerned with active status academic service,  
including appointments, renewal of appointments, promotion,  
tenure designation, and termination of service.~~

1. The active status, full-time faculty of the rank of assist-  
ant professor or higher of a department or of a nondepartmentalized  
school or college or comparable educational division shall  
establish procedures enabling an elected standing committee, or  
a committee of the whole, to submit its recommendations for  
appointments. Recommendations for actions other than appointments  
concerning full-time instructors, assistant professors, or associate  
professors shall be determined by the tenure members of the faculty  
~~or higher rank or~~ of equal or higher rank, ~~as the faculty may  
have determined by previously established procedures.~~ Recommendations



for actions other than appointments concerning professors shall be determined by tenure members of the rank of professor.

2. Faculty recommendations shall be based on the determination of a majority of the faculty (or the appropriate unit thereof) present and voting.

3. Faculty recommendations concurred in by the appropriate administrative officers shall be transmitted by them to the President and by him to the Board of Trustees. Variant or non-concurring recommendations from an administrative officer, together with supporting reasons, shall be sent by him to the Executive Committee of the Senate through the appropriate superior administrative officers. ~~To-harmonize-the-points-of-view,~~ The Executive Committee may seek information and advice and make recommendations to the faculty (or the appropriate unit thereof) and to the appropriate administrative officers. If concurrence cannot be obtained after opportunity for reconsideration in the light of the recommendations of the Executive Committee, the recommendation of the appropriate administrative officers, accompanied by the recommendation of the faculty and the report of the Executive Committee, shall be transmitted to the Board of Trustees through the President.

4. Appointments and actions affecting renewal of appointments, promotion, tenure designation, and termination of service shall ~~normally-be-effectuated-in-accordance-with~~ follow faculty recommendations. Departures from this standard shall be ~~limited to-those-cases-involving~~ made only for compelling reasons. ~~Disclosure-of-such-cases-and-the-compelling-reasons-therefor~~

~~shall-be-made-by~~ The appropriate administrative officers shall notify  
~~to~~ the Executive Committee of the Senate of any departures from  
faculty recommendations and the compelling reasons therefor.

~~Disclosure-shall-also-be-made-to~~ The faculty {or the appropriate  
 unit thereof}, shall also be notified unless the Board of Trustees  
 determines that such ~~a-disclosure-is-against~~ notification would be  
contrary to the best interests of the individual or individuals  
 concerned.

B. FACULTY CONSULTATION AND RECOMMENDATION IN THE SELECTION  
 OF ACADEMIC ADMINISTRATIVE OFFICERS

~~Administrative-officers--concerned-with-academic-matters-perform--~~  
~~a-role-in-the-formulation-of-policy-by-the-faculty-and-in-transmitting~~  
~~faculty-views-to-the-appropriate-superior-administrative-officers~~  
~~and, through-them, to-the-Board-of-Trustees.--Consequently,~~  
~~principles, procedures, criteria, and standards are needed to~~  
~~provide-for-faculty-participation-in-making-recommendations-for-~~  
~~the-selection-of-such-academic administrative-officers.~~

1. Department Chairman (emphasis)

The active status full-time faculty members of a department ~~in-active~~  
~~status-full-time-service~~ of the rank of assistant professor and  
 higher {See-Article-I, Section-B, Paragraph-1, Code-and-Ordinances}  
 shall formulate procedures for ~~the-participation-by-such-members,~~  
~~by-a-representative-group-thereof, or-by-an-appropriate-interdepart-~~  
~~mental-group-in-submitting-recommendations-for-selecting-the~~  
~~chairman-of-the-department.~~ recommending the appointment of the  
department chairman or acting chairman. As specified in such procedures,  
 the department chairman or acting chairman shall be appointed-after  
 consultation-with, and-normally

~~in conformity with the judgment of~~ upon the recommendation of an  
~~elected committee of such members of the department~~ or upon  
~~recommendation~~ of an appropriate ~~representative departmental or~~  
interdepartmental ~~group~~ committee whose members have been elected  
or otherwise chosen in accordance with such procedures. In considera-  
tion of the principle of rotation, the chairman shall serve for  
a limited term, subject to renewal ~~by comparable~~ in accordance with  
such procedures.

2. Dean, Associate Dean, Assistant Dean of a School or  
College (emphasis)

a) The dean, associate dean, assistant dean, or similar  
administrative officers of a school, college, or ~~comparable~~  
~~educational division or of a larger~~ other organizational unit,  
~~should~~ shall be appointed with, and continue to have the confidence  
of the faculty or faculties concerned. Such appointment shall be  
made after consultation with the elected ad hoc or standing committee  
thereof provided below. Such officers shall normally be qualified  
for faculty membership by training, experience, and continued  
interest in teaching and research.

b) The active status full-time faculty members ~~in-active-~~  
~~status-full-time-service~~ of the rank of assistant professor and  
higher ~~of the faculty~~ of a school, college, or ~~comparable-educational~~  
~~division or of a larger~~ other organizational unit, shall formulate  
procedures and criteria for the participation by such members in  
recommending the selection of ~~its~~ their academic administrative  
officers.

c) The following agencies for faculty participation, criteria

for representation of the faculty on such agencies, and procedure for submission of the names of proposed candidates shall be employed.

1) In the selection of a dean, the agency of faculty participation shall be an ad hoc representative committee ~~created and elected~~ by and from among the tenure members in-active-status grade-of-academic-service of the active status full-time faculty.

2) In the selection of an associate dean, ~~or assistant dean or similar administrative officer,~~ the agency shall be ~~a-faculty elected~~ an elected, ad hoc, or standing committee, such as an elected Dean's Council, as designated by-the-faculty-concerned-in the procedures adopted under paragraph b) above.

3) The specified faculty agencies shall be authorized to submit the names of proposed candidates for dean, associate dean, assistant dean, or similar positions.

4) The faculty agencies shall also review the names of candidates for such positions proposed by the appropriate administrative officers.

### 3. Channel of Communication (emphasis)

The faculty-elected committee of the school or college may also function as a channel of communication to the appropriate superior administrative officer concerning matters relating to personnel.

4. ~~Dean, Associate Dean, and/or Assistant Dean of Faculties Vice-President for Academic Affairs, Associate or Assistant Vice Presidents for Academic Affairs~~ (emphasis)

The Executive Committee of the University Senate is hereby designated

as the faculty agency for consultation and recommendation in the selection of the ~~Dean, Associate-Dean, and/or Assistant-Dean of Faculties~~ Vice President for Academic Affairs, the Associate or Assistant Vice Presidents for Academic Affairs. The committee shall be authorized to submit names of proposed candidates for these positions and to advise concerning names proposed by administrative officers. Such a dean shall be appointed after consultation with the committee and shall normally be qualified for faculty membership by training, experience, and continued interest in teaching and research.

5. Other Administrative Officers (emphasis)

a) The faculty of a school, college, division or other organizational unit or combination of units shall be consulted for their recommendations regarding the appointment of administrative officers whose concern with academic matters is limited to such organizational unit. The active status full-time faculty members of the rank of assistant professor and higher of the organizational unit or units concerned shall establish procedures and criteria for the formulation of such recommendations.

b) The Executive Committee of the Senate shall be consulted for its recommendations regarding the appointment of administrative officers whose concern with academic matters comprehends all or substantially all of the University.

5- 6. President of the University (emphasis)

The Faculty Assembly shall elect a committee to advise and consult with the Board of Trustees or appropriate members thereof in the selection of a President.



C. FACULTY PARTICIPATION IN ACTION CONCERNING CURRICULUM

The active status full-time faculty members of the rank of assistant professor and higher of each department, non-departmentalized school or college or other academic unit shall formulate procedures by which they or an elected standing committee shall participate in the addition, revision, and elimination of curricular offerings. No academic course, program or credit requirement shall be added, altered, or eliminated without the concurrence of such faculty or committee.

D. FACULTY PARTICIPATION IN ACTION CONCERNING BUDGET

The active status full-time faculty members of the rank of assistant professor and higher of each department, non-departmentalized school or college or other academic unit shall formulate procedures by which they or an elected standing committee shall participate in the preparation of budgets for the budgetary unit in question, within the amounts allocated to such units by the President and the Board of Trustees. Such participation shall include review and comment by the faculty or committee upon each annual and long range budget and budget projection proposed by the department chairman, dean or other chief administrative officer of the budgetary unit, and the transmission of written comments thereon to the President and Board of Trustees if desired by the committee. Such participation shall also include review and comment by such faculty or committee upon the allocation of budget reductions required by the President and Board of Trustees within proposed budgets and projections.

E. Faculty PROCEDURES FOR the IMPLEMENTATION OF ARTICLE ~~IX~~ X  
OF THE university FACULTY CODE and-ordinances-



~~Procedures-Governing-Issues-Relating-to-Termination-and-Violations  
of-Privileges-(emphasis)~~

A---PRELIMINARY-PROCEEDINGS 1. Preliminary Proceedings

1- a) No formal proceedings shall be instituted by a faculty member, or members, or by the appropriate administrative officers until every reasonable effort has been made to remedy the situation through informal personal consultation and conferences ~~by-the appropriate-administrative-officers-and/or-by-the-faculty-member's colleagues-~~ with the faculty member's colleagues or the appropriate administrative officers.

2- b) If a satisfactory adjustment does not result from informal <sup>in-writing</sup> personal consultation and conference, the matter, shall be referred in writing by the interested party or parties to the University Senate through the Executive Committee. The Senate, on nomination of the Executive Committee, shall appoint a special committee, none of whose members shall be members of the Senate Committee on Professional Ethics and Academic Freedom. The Special Committee shall informally inquire into the matter to effect a mutually satisfactory understanding or adjustment.

3- c) If a mutually satisfactory understanding or adjustment is not effected, the Special Committee shall then determine whether in its view formal proceedings to consider the matter should be instituted. If the Special Committee recommends such proceedings, action shall be commenced before the Senate Committee on Professional Ethics and Academic Freedom in accordance with the procedures specified in Section B7 2, below. If the Special Committee fails to make such a recommendation, either the President or aggrieved

faculty member or members may, ~~in accordance with his own judgment,~~ bring the issue before the Senate Committee on Professional Ethics and Academic Freedom for further consideration.

4. d) If there is agreement, a written statement with reasonable particularity in evaluation of the issues concerned shall be jointly formulated by the President and the Special Committee. If there is disagreement, the Special Committee alone, or the President or his representative, shall formulate the statement.

~~B. -- FORMAL PROCEEDINGS~~ 2. Formal Proceedings

1. a) Hearing Committee (delete emphasis)

a) (1) The Senate Committee on Professional Ethics and Academic Freedom as constituted pursuant to the Faculty Organization Plan shall be the standing committee to conduct, as the Hearing Committee, formal proceedings ~~involving disputes within its-~~ jurisdiction initiated under these procedures.

b) (2) No member of the Hearing Committee shall sit in a case which involves a member of his department, or of his non-departmentalized college or school. A member of the Hearing Committee may also disqualify himself. The faculty member involved, before or at the outset of the hearing, may exercise one ~~peremptory~~ challenge and unlimited challenges for cause against members of the Hearing Committee, including replacements. The Executive Committee of the Senate shall act on such challenges, and ~~on~~ shall designate necessary replacements from tenure members of the faculty.

c) (3) When constituted, the members of the Hearing Committee shall elect their own chairman to preside for the duration of the formal proceedings. In the interim, the chairman of the Senate

Committee on Professional Ethics and Academic Freedom shall serve as Chairman of the Hearing Committee.

2- b) Committee Jurisdiction (delete emphasis)

In cases which are referred to it by the Special Committee, or by any aggrieved member of the faculty, the Hearing Committee shall conduct ~~in-accordance-with~~ recognized formality proceedings concerning issues ~~relating~~ related to (1) dismissal for cause of an appointee with ~~continuous~~ tenure; (2) dismissal for cause of a faculty member during term appointment; (3) the nonrenewal of a probationary appointment with less advance notice than that specified in the Code; (4) nonrenewal of a probationary appointment for considerations allegedly violative of academic freedom; (5) alleged violation ~~of~~ rights and privileges granted by the Code in cases which are referred to it by the Special Committee, or by the President, or by any aggrieved member of the faculty; and (6) alleged unfair or discriminatory treatment with regard to conditions of employment.

3- c) Commencement of Formal Proceedings (delete emphasis)

a) (1) Formal proceedings before the Hearing Committee concerning issues relating either to the dismissal for cause of a faculty member during an appointment with ~~continuous~~ tenure or to the dismissal for cause of a faculty member during a probationary or visiting-status appointment shall be commenced by a written communication signed by the President and/or the Chairman of the Special Committee, and addressed to the Chairman of the Hearing Committee, setting forth the text of the statement. If no such action is taken by the President and/or the Chairman of the

Special Committee, a faculty member subject to removal may institute proceedings before the Hearing Committee by a written communication, signed and presented in the same manner, setting forth his grounds for opposing the action taken or impending against him and requesting a hearing thereon.

b) (2) Formal proceedings before the Hearing Committee concerning issues relating ~~either~~ to (1) the nonrenewal of a probationary appointment with less advance notice than that specified in Article V, Section B, paragraph 1 of the Code; ~~or-to~~ (2) the nonrenewal of a probationary appointment for considerations violative of academic freedom; ~~or-to~~ (3) violations of other rights or privileges granted by the Code to the faculty member; or (4) unfair or discriminatory treatment with regard to conditions of employment may be commenced by a written communication signed by the faculty member addressed to the Chairman of the Hearing Committee setting forth his grounds for opposing the action taken or impending against him and requesting a hearing thereon.

e) (3) Upon receipt of a written communication from the President ~~and/or~~ the Special Committee, the Chairman of the Hearing Committee shall cause a copy of it to be delivered to the faculty member affected by the proposed action. Upon receipt of a written statement from a faculty member the ~~said~~ Chairman shall cause a copy of it to be delivered to the President.

d) (4) Within twenty days after delivery of a copy of the written statement, the person to whom it has been delivered shall present to the Chairman of the Hearing Committee a written answer containing such admissions, denials, or other relevant statements

as he deems appropriate. Upon receipt of this written answer, the Chairman of <sup>said</sup> the Committee shall cause a copy of it to be mailed to the signer of the written statement.

e) (5) Upon receipt of the written answer, or in case the faculty member fails to respond, the Hearing Committee shall fix a hearing and advise the signer of the written statement and the person to whom the copy thereof was served of the time and place at which the matter will be heard by the Hearing Committee.

4- d) Suspension of the Faculty Member (delete emphasis)  
Suspension of the faculty member during the formal proceedings or prior thereto is justified only if immediate harm to himself or others is threatened by his continuance in active status academic service. The President (or the Senate, upon recommendation of the Special Committee or the Hearing Committee through the President) may recommend to the Board of Trustees that the faculty member be suspended. Suspension shall be without reduction in pay.

5- a) Hearing Committee Rules and Procedure (delete emphasis)

a) (1) At the hearing and in conference, a majority of the Hearing Committee constitutes a quorum.

b) (2) A full stenographic record of the hearing shall be made and shall be available to all parties concerned.

c) (3) The principals involved in a hearing shall each be entitled to a legal or other adviser or representative at all hearings; and the Hearing Committee, itself, may seek legal or other technical advice.

d) (4) The Hearing Committee shall, after full consideration of the suggestions of the principals, announce at the beginning of



the hearings the detailed procedures that will be followed. These procedures shall be in conformity with accepted principles of academic due process and shall include such provisions as the calling and examining of witnesses, the receiving of depositions where personal appearance is impractical, and the hearing of summary arguments by the principals or their representatives.

e) (5) The Hearing Committee shall reach its findings in closed conference and shall record them, with indications of the evidence and reasoning involved, in an explicit written form, copies of which shall be given to the principals.

6- f) Consideration and Action by the Senate (delete emphasis) The Hearing Committee shall submit its decision in writing, through the Executive Committee, to the Senate for such consideration and action as the Senate may deem appropriate, including but not limited to rejection, adoption, modification, or remand. The action of the Senate will be submitted to the President for transmission to and final disposition by the Board of Trustees.

7- g) Publicity (delete emphasis)

~~Public-statements-about-the-case-by-either-faculty-members-or administrative-officers-are-to-be-avoided-until-the-proceedings-have been-completed.--A-statement-in-advance-of-completion-of-proceedings is-permissible-only-if-deemed-necessary-to-correct-erroneous-or misleading-publicity-with-respect-to-the-case.--No-announcement concerning-the-decision-of-the-Hearing-Committee-or-the-action-of the-Senate-shall-be-made-until-final-disposition-of-the-case-by the-Board-of-Trustees-~~ Faculty members and administrative officers shall refrain from making public statements about a case until final



disposition of the case by the Board of Trustees. The Chairman of the Executive Committee of the Senate may make a statement in advance of the completion of the proceedings if necessary to correct erroneous or misleading publicity. Any announcement of the final decision shall include a statement of the decision of the Hearing Committee and of the action of the Senate, and shall be made through the President's Office.

PROPOSED AMENDMENTS TO THE REVISED CODE

I. Recommendation by the Commission on Equal Opportunity, Lois G. Schwoerer, Chairwoman

1. Faculty Code: page 19, Article X, line 7 up: After word "treatment" insert:

BASED ON RACE, SEX, CREED, AGE, ETHNIC IDENTITY, OR OTHER CONSIDERATIONS PROHIBITED BY LAW.

2. Procedures for the Implementation of Article X of the Faculty Code: page 28, E, Section 1, paragraph b, line 7: Insert after the word "freedom":

IN CASES OF GRIEVANCES IN WHICH DISCRIMINATION ON THE BASIS OF RACE, SEX, CREED, AGE, ETHNIC IDENTITY, OR OTHER CONSIDERATIONS PROHIBITED BY LAW IS CHARGED, THE SENATE, ON NOMINATION OF THE EXECUTIVE COMMITTEE, SHALL APPOINT A SPECIAL COMMITTEE, A MAJORITY OF WHOSE MEMBERS SHALL BE APPROVED BY THE COMMISSION ON EQUAL OPPORTUNITY AND MAY BE MEMBERS OF THE COMMISSION ON EQUAL OPPORTUNITY.

3. Page 29, E, Section 2, paragraph a (1): Add to the paragraph the following:

IN CASES IN WHICH DISCRIMINATION ON THE BASIS OF RACE, SEX, CREED, AGE, ETHNIC IDENTITY, OR OTHER CONSIDERATIONS PROHIBITED BY LAW IS CHARGED, THREE MEMBERS APPOINTED BY THE COMMISSION ON EQUAL OPPORTUNITY SHALL BE ADDED TO THE HEARING COMMITTEE.

4. Page 29, E, Section 2, paragraph a (2), line 4 up from bottom: Delete word "tenure."

5. Page 30, E, subsection B), last 2 lines in that paragraph: Insert comma after "treatment." Insert comma after word "employment" and add the following:

OF THE INDIVIDUAL BECAUSE OF RACE, SEX, CREED, AGE, ETHNIC IDENTITY, OR OTHER CONSIDERATIONS PROHIBITED BY LAW.

II. Recommendation by Fred P. Abramson, Assistant Research Professor, Departments of Pharmacology and Pathology:

1. The following definition replace I.B.1 and 4 in the Code and Ordinances:

Full-time Service: (a) Academic: Professor, Associate Professor, Assistant Professor and Instructor.

(b) Research: Research Professor, Associate Research Professor, Assistant Research Professor and Research Instructor.

2. The sections on Appointments, Reappointment, Tenure and Promotion pertain to Full-time Service and Limited Service Faculty and provide no apparent guidelines for the Research Faculty - request is made for clarification.

PROPOSED AMENDMENTS TO THE REVISED CODE  
(continued)

III. Recommendation by Dr. Sean O'Reilly, Department of Neurology:

1. Draft code, page 4, III A. It is misleading (potentially at least) to omit reference to 'the country' while including 'his community.' Suggest it be amended to read:

". . . and apply his talents to the service of his profession, his community, and his country when called on to do so, always provided his rights of conscience are not denied due process."

2. Page 9C. Non-Discrimination. Would like to see this strengthened by inserting after the word 'merit' the clause "as determined by professional peer judgment."
3. Page 11C. 1. Adequate Cause. Suggest that this needs be qualified e.g., as follows: "adequate cause, adequately documented and judged by an academic peer group, drawn if necessary from outside the faculty of this university."